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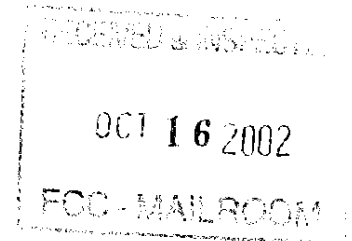
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October 14, 2002

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals/445 Twelfth Street, S.W.
Washington, D.C. 20554



RE: Petition for Rulemaking

Dear Ms. Dortch:

There is transmitted herewith on behalf of Two Ocean Broadcasting Company ("Two Ocean"), the licensee of Station KJWY(TV) and permittee of KJWY-TD, Jackson, Wyoming [Facility ID# 1283], an original and four copies of a *Petition for Rulemaking* to institute a rulemaking to amend §73.622(b) of the DTV Table of Allocations, by substituting Channel 4 as KJWY(TV)'s paired DTV allocation in lieu of Channel 14 as originally allocated.

An extra copy of this transmittal letter is enclosed, as well as a pre-addressed, stamped envelope. Please confirm your receipt of the filing of this *Petition for Rulemaking* by date stamping the extra copy of this transmittal letter and returning it to the undersigned counsel.

Should additional information be desired concerning this *Petition for Rulemaking* please contact the undersigned counsel.

Respectfully submitted,

TWO OCEAN BROADCASTING COMPANY

By J. Dominic Monahan
J. Dominic Monahan, Its Counsel

JDM/nlk

Enclosures

cc: James E. Rogers
Mari Beth Bindues

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02-253

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED & INSTALLED

OCT 16 2002

FCC - MAIL ROOM

In Re)
)
Amendment of 73.662)
Table of Allocations)
Digital Television Broadcast Stations)
(Jackson, Wyoming))
)

MM Docket No. _____

RM-_____

PETITION FOR RULEMAKING

TO: Chief, Video Services Division

Two Ocean Broadcasting Company ("Two Ocean"), the licensee of Station KJWY(TV) and permittee of KJWY-DT, Jackson, Wyoming, through its attorneys and pursuant to §§1.401 and 73.622(a), of the Commission's rules, respectfully petitions the Commission to institute a rulemaking to amend §73.622(b) of the DTV Table of Allocations by substituting Channel 4 as the station's paired DTV allocation and a transition period in lieu of Channel 14 in Jackson, Wyoming as originally allocated. The proposed substitution would permit Station KJWY to operate at its current antenna location at substantially reduced operating costs, provide a paired VHF DTV channel, and improve reception for DTV within the KJWY-DT service.

Under the proposal, the DTV Table of Allocations would be amended as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Jackson, Wyoming	Ch 14	Ch 4

For reasons set forth below, and supported by the attached engineering statement from D.L. Markley & Associates, Two Ocean submits that the proposed amendment to the DTV Table of Allocations *is* consistent with the Commission's rules and will serve the public interest. The proposed use of Channel 4 in substitution of Channel 14 in Jackson, Wyoming is wholly consistent with the requirements of §73.623(c)(1). Specifically, the operation of Two Ocean's DTV station on Channel 4 will satisfy the Commission's 2%-10% *de minimus* interference test.

No analog or DTV station will receive incremental interference exceeding 2% of the population currently served, and in fact no population will be affected. Moreover, to the extent such protection is required, there will be no impermissible interference to protected Class A stations. In addition, DTV Channel 4 can be allocated to KJWY-DT using the station's authorized NTSC transmitter site in full compliance with the principal city coverage requirements of §73.625(a).

The proposed channel substitution will benefit the public interest for several reasons. Presently Station KJWY-DT holds a permit authorizing it to operate on DTV Channel 14 utilizing 48 Kw of power to achieve replication of its current coverage (*see* BPCDT-I9991029AED).. However, as shown in the attached engineering statement, the operation on Channel 4 by KJWY-DT would allow the station to replicate its current NTSC coverage using approximately 1 Kw of power as opposed to some 48 Kw of power, a substantial savings in utility costs to operate this station, particularly for a small market television station serving only 1,000 households.

In addition to the above, there are substantial economic and technical reasons which support this proposed change in allocation. As noted in the attached engineering statement, petitioner utilizes antenna space at a restricted electronic site at a high altitude site in the Rocky Mountains just outside of Jackson, Wyoming. Antenna space at that site is limited and the site owner has declined to provide sufficient space to petitioner for the originally allocated UHF facility. The space limitations relate not only to space on the tower for the antenna itself but to the room inside the available transmitter building at the site. By changing the allocation to Channel 4, a small, lightweight antenna can be utilized on the existing space as well as a smaller transmitter which will be installed inside the transmitter building. In addition to these technical considerations, use of the VHF signal will provide superior service into the rugged mountain valley in which Jackson is located. Experience with UHF low power transmitters in this same area has demonstrated the likelihood that significant reflection from the surrounding mountains causing an undesirable amount of ghosting into the community of Jackson.

Wherefore, in light of the foregoing, Two Ocean respectfully requests that the Commission initiate the rulemaking requested herein to substitute DTV channel 4 for DTV channel 14 as the digital television channel assigned to Two Ocean.

Respectfully submitted,

TWO OCEAN BROADCASTING COMPANY

By 

J. Dominic Monahan, Its Counsel

Petition for Rulemaking

The following engineering statement and attached exhibits have been prepared for Two Ocean Broadcasting Company, licensee of television station KJWY and permittee of digital television station KJWY-DT at Jackson, Wyoming and are in support of their petition for rulemaking to modify Section 73.622(b), DTV Table of Allotments, of the Commission's Rules and Regulations.

The petitioner seeks to modify Section 73.622(b) as follows:

CITY	EXISTING	PROPOSED
Jackson, Wyoming	14	4

The petitioner seeks to change the channel to resolve a technical difficulty that has arisen with regard to constructing the DTV facility on the allocated channel. The petitioner leases antenna space at an electronic site on top of a mountain outside the community of Jackson. Antenna space at that site is very limited and the owner of the site has declined to provide adequate space for the originally allocated UHF facility. The space limitation concerns not only the antenna itself but also room inside the available transmitter building to place a UHF transmitter.

By changing the allocation to channel 4, a small lightweight antenna could be utilized in the existing space. In addition, the size of the transmitter is such that it could be located in an existing equipment rack inside the transmitter building. Added to this is the fact that it is believed that the VHF signal will provide better service into the valley that contains the community of Jackson than would a higher-powered UHF station. Experience with UHF low-power transmitters in the area indicates that there would be significant reflections from the mountains on the other *side* of the valley that would cause an undesirable amount of ghosting into the community of Jackson.

The proponent would propose that the effective radiated power of the allocation be no greater than 1 KW, utilizing an omni-directional antenna with the center of

radiation at 300 meters above average terrain. The coordinates for the DTV allocation would remain at **43° 20'42" North** and **110°45'10" West**.

The attached exhibits demonstrate that no interference would be caused by the proposed change in channel to any other existing or proposed facility. The allocation would be short spaced to several low power television facilities and to one standard broadcast station. The low power facilities are all translators. None of those stations have applied for certificates of eligibility as Class A TV facilities. A Longley-Rice study was performed of interference from the proposed station to all other concerned stations. A copy of that study is attached. The study indicates that interference would be caused to the signals of 2 other stations. Those are KTVX in Salt Lake City, Utah and KCWC-TV in Lander, Wyoming. However, the areas are very small in both cases and there is no population in those areas where interference would occur.

The attached exhibits also demonstrate that a facility constructed in accordance with the proposed allocation would place a city grade signal over the entire community of Jackson, Wyoming.

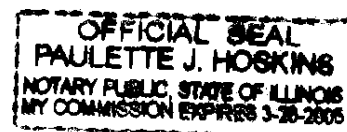
The preceding statement and attached exhibits have been prepared by me or at my direction and are true and correct to the best of my knowledge and belief.


Donald L. Markley, P.E.
Donald L. Markley, P.E.

Subscribed and sworn this 25th day of September 2002.



Notary Public



KJWY-DT INTERFERENCE STUDY

JACKSON WYOMING

REFERENCE

43 27 42 N

ZONE = 2C DTV

110 45 10 W

DISPLAY DATES

DATA 09-07-02

SEARCH 09-25-02

..... Channel 4 , 66 MHz

Call	Channel	Location	Dist	Azi	FCC	Margin
N. Lat.	W. Lng.		Power	HAAT		
K04NR	LI 04N	Teton Village	WY 17.81	327.9	> 152.59	-134.78
43 35 50	110 52 13	DXN	0.029 kW	1277 M		
		Central Wyoming College	BLTVL19960423IZ			
KCWCTV	LI 042	Lander	WY 193.01	119.8	> 273.60	-80.59
42 34 59	108 42 36	VN	100.000 kW	463 M		
		Central Wyoming College	BLET19830609KF			
K04AF	LI 04N	Dubois, Etc.	WY 90.63	87.7	> 137.41	-46.78
43 29 20	109 38 00	DXN	0.003 kW	758 M		
		Dubois Community Tv Club	BLTTV717			
NEW	AP 04+	Cokeville	WY 153.89	186.1	> 163.94	-10.05
32 05 03	110 57 09	XN	3.000 kW	272 M		
		Sunbelt Communications Com	BNPTVL20000829AJK			
K04FV	LI 04N	La Barge, Etc.	WY 148.99	166.4	> 152.96	-3.97
42 09 27	110 19 39	DXN	0.078 kW	709 M		
		Tulsa T. V. Association	BLTTV3254			
K04LA	LI 04N	Wood River, Etc.	WY 161.37	64.3	> 147.22	14.15
44 04 30	108 56 10	DXN	0.089 kW	398 M		
		Park County	BLTTV19830314IA			
K04DA	LI 04N	Diamond Basin, E	WY 171.00	47.4	> 147.29	23.71
44 29 29	109 10 08	DXN	0.021 kW	890 M		
		Park County	BLTTV19781208IA			
K04DB	LI 04N	Sunlight Basin,	WY 181.45	36.9	> 157.40	24.05
44 45 25	109 22 21	DXN	0.079 kW	1016 M		
		Park County	BLTTV19781208IB			
KIDK	LI 032	Idaho Falls	ID 154.67	272.1	< 11.0 > 125.0	29.67
43 29 51	112 39 50	VN	100.000 kW	488 M		
		Fisher Broadcasting - S.e.	BLCT853			
NEW	AP 03-	Afton	WY 83.02	190.1	> 049.27	33.75
42 43 33	110 55 50	XN	3.000 kW	310 M		
		Sunbelt Communications Co.	BNPTVL20000829ALA			
KXLFTV	LI 04Z	Butte	MT 312.94	335.4	> 273.60	39.34
46 00 27	112 26 30	VN	100.000 kW	576 M		
		Kxlf Communications, Inc.	BLCT1740			

Call N. Lat.	Channel W. Lng.	Location	Dist Power	Azi HAAT	FCC	Margin
KHMT 45 44 2s	LI 04t 108 08 19	Hardin VN	MT 327.49 100.000 kW	38.3 323 M	> 273.60	53.89
Vhr Broadcasting Of Billin BLCT19801219KF						
KTVX 40 36 50	LI 04- 112 11 05	Salt Lake City VN	UT 337.80 32.400 kW	201.0 1180 M	> 273.60	64.20
Clear Channel Broadcasting BLCT19800523KG						

D. L. Markley & Associates Population Report

KJWY (04) Jackson, WY

TV Outgoing Interference Study

Signal Resolution: 1.5 km

Consider NTSC Taboo: Yes

KWX error points are considered to
be interference free coverage.

of radials computed for contours: 72

Contours calculated using 8 radial HAAT.

LR Profile Spacing Increment: 0.1 km

Masked interference points are being counted
as interference free.

Study Date: 9/25/02

TV Database Date: 09-07-02

Population Database: 2000 US Census (SF1)

Stations which receive interference:

Call Letters	H Units	Population	Area (sq. km)
KTVX	0	0	6.22
KCWCTV	0	0	4.03

Totals for KJWY

Total population to which interference is caused: 0

Total number of housing units to which interference is caused: 0

	Housing Units	Population
Utah		
Morgan County		
KTVX	0	0
Rich County		
KTVX	0	0

KJWY
BLCT19901024KE
Latitude: 43-27-42 N
Longitude: 110-45-10 W
Power: 1.0 kW
Channel: 4
Frequency: 69.0 MHz
AMSL Height: 2454.0 m
Elevation: 2238.53 m
Horiz. Pattern: Omni
Vert. Pattern: Yes
Elec Tilt: 5.0
Prop Model: Longley/Rice
Climate: Cont temperate
Conductivity: 0.0050
Dielec Const: 15.0
Refractivity: 311.0
Receiver Ht AG: 10.0 m
Receiver Gain: 0 dB
Time Variability: 90.0%
Sit. Variability: 50.0%
ITM Mode: Broadcast

**City Grade (35 dBu) Service Area
Proposed Channel 4 Digital Television
Facility for KJWY-DT at Jackson
Hole, Wyoming**

**D. L. Markley & Associates, Inc.
Consulting Engineers**

